

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

-----X

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> ,	PROMESA Title III No. 17 BK 3283-LTS (Jointly Administered)
--	--

Debtors.¹

-----X

**INFORMATIVE MOTION REGARDING MOTION OF THE
COMMONWEALTH OF PUERTO RICO PURSUANT TO BANKRUPTCY
CODE SECTION 365 FOR ENTRY OF ORDER APPROVING ASSUMPTION OF
SETTLEMENT AGREEMENTS WITH GARCÍA RUBIERA CLASS PLAINTIFFS**

To the Honorable United States District Judge Laura Taylor Swain:

Pursuant to the Court’s *Order Regarding Procedures for December 9–10, 2020, Omnibus Hearing* [Case No. 17-3283, ECF No. 15295], the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)² and the Official Committee of

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

Unsecured Creditors (the “Committee” and, collectively, the “Parties”) respectfully state as follows:

1. The Parties will appear telephonically at the December 9, 2020 hearing on the *Motion of the Commonwealth of Puerto Rico Pursuant to Bankruptcy Code Section 365 for Entry of Order Approving Assumption of Settlement Agreements with García Rubiera Class Plaintiffs* [Case No. 17-3283, ECF No. 15171] (the “Motion”) as well as any and all objections, responses, statements, joinders, and replies to the Motion.

2. The following individuals may appear to speak on behalf of the Parties:

- a. Commonwealth: Martin J. Bienenstock, Ehud Barak, and/or Steve Y. Ma
- b. Committee: Luc Despins

3. The Parties understand the Court has allocated 20 minutes for a hearing on the Motion. The Parties have agreed to allocate such time as follows:

- a. Movants
 - i. Commonwealth: 7 minutes
- b. Objecting Parties
 - i. Committee: 10 minutes
- c. Movants
 - i. Commonwealth: 3 minutes

Dated: December 3, 2020.
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock
Martin J. Bienenstock
Brian S. Rosen
Paul V. Possinger
Ehud Barak
(Admission *pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

*Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*

/s/ Hermann D. Bauer
Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944
*Co-Attorneys for the Financial Oversight and
Management Board as representative for the
Debtors*